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NOV 09 2004

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**TO:** Commissioner for Patents  
U.S. Patent & Trademark Office

Facsimile No. (703) 872-9306

Number of pages (including this cover page): 33

In re Patent Application of:	)	Group Art Unit: 1631
	)	
HOGAN <i>et al.</i>	)	Examiner: Marschel, A.H.
	)	
Serial No. 08/454,529	)	Atty. Docket No. GP004-16.DV4
	)	
Filed: May 30, 1995	)	Confirmation No. 7594
	)	
Title: METHODS FOR DETERMINING	)	Date: November 9, 2004
THE PRESENCE OF NON-VIRAL	)	
ORGANISMS IN A SAMPLE	)	

Transmitted herewith are the following:

- 1) Transmittal Form, Form PTO/SB/21 (1 pg.); and
- 2) Response to Office Communication (31 pgs.)

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Date: November 9, 2004

By: 

Charles B. Cappellari  
Registration No. 40,937

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

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Total Number of Pages in This Submission

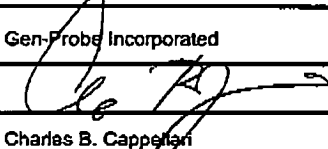
33

Application Number	08/454,529
Filing Date	May 30, 1995
First Named Inventor	James J. Hogan
Art Unit	1831
Examiner Name	Marschel, A.
Attorney Docket Number	GP004-18.DV4

**ENCLOSURES (Check all that apply)**


<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Facsimile Cover Sheet
Remarks _____		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	Gen-Probe Incorporated		
Signature			
Printed name	Charles B. Cappellari		
Date	November 9, 2004	Reg. No.	40,937

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Signature			
Typed or printed name	Charles B. Cappellari	Date	November 9, 2004

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For: METHODS FOR DETERMINING	)	
THE PRESENCE OF NON-VIRAL	)	
ORGANISMS IN A SAMPLE	)	

**RESPONSE TO OFFICE COMMUNICATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants received an Office Communication mailed on November 1, 2004 in the above-captioned application which indicated that Applicants' Amendment filed on June 6, 2004 was non-responsive because of improper use of status identifiers for indicating claim status. In response, Applicants are re-presenting below their reply to the Office Action mailed on December 17, 2003. The only changes to Applicants' Amendment filed on June 6, 2004 herein are corrections to the claim status identifiers in accordance with 37 C.F.R. § 1.121. Applicants again kindly request that the Examiner enter the following amendments and consider the following remarks.